

AN ACT

ENTITLED, An Act to authorize expenditures out of the water and environment fund, to amend the state water plan, and to declare an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of four million four hundred eighty thousand dollars (\$4,480,000), or so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose of providing grants and loans to project sponsors under the consolidated water facilities construction program established pursuant to § 46A-1-63.1. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 2. In accordance with § 46A-1-64, the Legislature hereby authorizes the Board of Water and Natural Resources to provide grant funding from the South Dakota water and environment fund, under the consolidated water facilities construction program established in § 46A-1-63.1, in amounts not to exceed one million seven hundred fifty thousand dollars (\$1,750,000) to the Randall Community Water District, for the expansion of water services, to include the delivery of bulk water to Aurora-Brule Rural Water System, Inc. and Davison Rural Water System, Inc. Funds shall be provided according to the terms and conditions established by the Board of Water and Natural Resources.

Section 3. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of two hundred thousand dollars (\$200,000), or so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose of providing a grant to local project sponsors for the congressional authorization, engineering design, preconstruction activities, and construction of the Lewis and Clark rural water system as authorized in § 46A-1-13.10. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 4. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of two million dollars (\$2,000,000), or so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose of providing a loan to the project sponsors to be used for the engineering design, preconstruction activities, and construction of the facilities included in the Mni Wiconi rural water system as authorized in § 46A-1-13.4. Funds shall be used by the project sponsors for activities that qualify as nonfederal matching requirements as enumerated in P.L. 100-516 as amended to January 1, 1999. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 5. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of three hundred thousand dollars (\$300,000), or so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose of providing a grant to local project sponsors for the engineering design, right-of-way acquisition, preconstruction activities, and construction of the Sioux Falls flood control project as authorized in § 46A-1-13.7. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 6. That § 46A-1-2.1 be amended to read as follows:

46A-1-2.1. The Legislature finds that the following water resources projects are necessary for the general welfare of the people of the State of South Dakota and authorizes the projects pursuant to § 46A-1-2 to be included in the state water resources management system to serve as the preferred, priority objectives of the state: Bad River watershed project, Big Sioux flood control study, Black Hills hydrology and water management study, Brennan reservoir, Cendak irrigation project, Gregory county pumped storage site, James River improvement program, Lake Andes-Wagner/Marty II irrigation unit, Lewis and Clark rural water system, Mni Wiconi rural water system, Pick-Sloan riverside irrigation, Sioux Falls flood control project, Slip-Up Creek, and Vermillion basin flood control project.

Section 7. Notwithstanding § 34A-6-85, there is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, from the fees received pursuant to §§ 34A-6-81 to 34A-6-84, inclusive, a grant in the sum of one million five hundred thousand dollars (\$1,500,000), or so much thereof that may be necessary, to the South Dakota Department of Environment and Natural Resources to be used for the statewide cleanup of waste tires and solid waste. Notwithstanding § 46A-1-61, the department may fund up to one hundred percent of the nonfederal share of a statewide waste tire and solid waste cleanup project.

Section 8. Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

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I certify that the attached Act
originated in the

SENATE as Bill No. 41

Secretary of the Senate
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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 41
File No. _____
Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
=====

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State